

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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|--|-------------------------------|
| SOUTH FORK BAND COUNCIL OF WESTERN) | CASE NO. 3:08-cv-616-LRH(RAM) |
| SHOSHONE OF NEVADA, et al.,) | |
|) | |
| Plaintiffs,) | MINUTES OF THE COURT |
|) | |
| vs.) | DATED: JANUARY 23, 2009 |
|) | |
| U.S. DEPARTMENT OF INTERIOR, et al.,) | |
|) | |
|) | |
| Defendants.) | |
| _____) | |
|) | |
| BARRICK CORTEZ, INC.,) | |
|) | |
| Defendant/Intervenor.) | |
| _____) | |

PRESENT: HONORABLE LARRY R. HICKS, U.S. DISTRICT JUDGE

Deputy Clerk: Rosemarie Miller Reporter: Margaret Griener

Counsel for Plaintiff(s): Roger Flynn and Jeff Parsons

Counsel for Defendant(s): Donna Fitzgerald, Sara Costello and Holly Vance

Counsel for Defendant/Intervenor: Francis Wikstrom, Michael Larsen, Michael McCarthy and Jeff Droubay

PROCEEDINGS: HEARING/PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION (12)

9 05 a.m. Court convenes.

The parties' oral motion to stay the deadline for submission of a proposed discovery plan/scheduling order is approved. The deadline shall be stayed indefinitely, not to exceed sixty (60) days, subject to any stipulation that may be presented by parties in the interim.

Closing argument is presented by Mr. Flynn in support of plaintiffs' Motion for Preliminary Injunction [12].

10:25 a.m. Court stands at recess.

South Fork Band Council of Western
Shoshone of Nevada, et al.

vs.

U.S. Department of Interior, et al.

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10:29 a.m. Court reconvenes.

Closing argument is presented on behalf of the Government by Ms. Costello and Ms. Fitzgerald and on behalf of defendant/intervenor by Mr. Wikstrom. Mr. Flynn argues in rebuttal.

Plaintiffs' Motion for Preliminary Injunction stands submitted. The Court will announce its decision from the bench in hearing scheduled on January 26, 2009 at 3:00 p.m. Counsel may attend telephonically. The conditions of the existing restraining order entered by stipulation between the parties will remain in full force and effect until the Court's decision has been rendered.

12:25 p.m. Court adjourns.

LANCE S. WILSON, CLERK

By: Rosemarie Miller
Deputy Clerk